IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

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DATATREASURY CORPORATION,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	**Civil Action No. 2:06cv72**
	§	
WELLS FARGO & COMPANY; *ET AL.*	§	
	§	
Defendants.		

HSBC NORTH AMERICA HOLDINGS INC.'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION UNDER RULE 12(b) (2)

Defendant HSBC North America Holdings Inc. files this motion to dismiss Plaintiff's suit for lack of personal jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(2) and would show as follows:

1. HSBC North America Holdings Inc. is a Delaware corporation whose principal place of business is in Prospect Heights, Illinois. (Hickman Affidavit ¶1, attached hereto as Exhibit A)

2. HSBC North America Holdings Inc. is not a resident of the State of Texas nor does it maintain a place of business or registered agent for service of process within the State of Texas. HSBC North America Holdings Inc. has no property, business records, employees, bank accounts, or telephone numbers in the State of Texas and does not engage in or conduct any business within the State of Texas. (Hickman Affidavit ¶¶ 2 -5)

3. HSBC North America Holdings, Inc. does not engage in or conduct any business within the State of Texas. In particular, it has not made, used, sold, offered to

sell, and/or imported, directly, contributorily, and/or by inducement, any infringing products or services within the State of Texas. Additionally, HSBC North America Holdings Inc. has not provided or sold any products or services within the State of Texas separately or with any other Defendant. (Hickman Affidavit ¶¶ 6, 10 and 11)

4. HSBC North America Holdings Inc. is not an owner or current user of Viewpointe Archive Services, LLC, Small Value Payments Company, LLC and/or The Clearing House Payments Company, LLC, and has not engaged in infringing activities within the State of Texas with regard to patents that are the subject of this lawsuit or the above-named entities. (Hickman Affidavit ¶ 13 -17)

5. HSBC North America Holdings Inc. does not have minimum contacts with Texas sufficient to subject it to this Court's jurisdiction. The Court's assumption of jurisdiction over this defendant will offend traditional notions of fair play and substantial justice and would violate due process of law.

6. For these reason HSBC North America Holdings Inc. asks the Court to dismiss all Plaintiff's claims against HSBC North America Holdings, Inc.

Respectfully submitted,

BOUDREAUX, LEONARD, HAMMOND & CURCIO, P.C.

By: /s/

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Certificate of Service

I certify that a copy of HSBC North America Holdings Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction under Rule 12(b)(2) was served on June 1, 2006, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

Tim S. Leonard